

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK D. PIÑA,

Plaintiff,

-against-

THE UNITED STATES OF AMERICA,

Defendant.

USDC SDNY
DOCUMENT
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DATE FILED: 12/01/2021

20-CV-1371 (PAE) (BCM)

**ORDER SCHEDULING CASE
MANAGEMENT CONFERENCE**

BARBARA MOSES, United States Magistrate Judge.

This action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement and for report and recommendation on dispositive motions, pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B). All pretrial motions and applications, including those related to scheduling and discovery, must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

The district judge having granted defendant's partial motion to dismiss (Dkt. No. 31), and having reaffirmed that ruling (Dkt. No. 36), it is hereby **ORDERED** that defendant shall file its answer no later than **December 15, 2021**.

It is further **ORDERED** that an initial conference in accordance with Fed. R. Civ. P. 16 will be held on **January 18, 2022, at 12:00 noon**, in Courtroom 20A of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).

It is further **ORDERED** that each party confer with all other parties to make sure that all parties (or their attorneys) have a copy of this Order and can attend the conference. If any party needs to change the date of the conference, that party must make the request, by letter, as soon as

the need for a different date is known. Please see § 2(a) of Judge Moses's Individual Practices for a description of what information must be contained in that letter.

It is further **ORDERED** that the parties come to the conference prepared to discuss the following subjects:

1. The issues in the case;
2. Whether any party wishes to amend a pleading or add new parties, and what the deadline should be for moving for leave to do so;
3. What discovery the parties plan to engage in, and what deadlines should be set for:
 - a. Exchanging the automatic disclosures required by Fed. R. Civ. P. 26(a)(1)(A);
 - b. Serving document production requests and interrogatories;
 - c. Taking depositions of fact witnesses;
 - d. Disclosing the identity and exchanging the reports of expert witnesses, if any, and taking their depositions; and
 - e. Completing all discovery;
4. Whether any special limitations should be placed on discovery, including protective or confidentiality orders;
5. Whether any special discovery issues are likely to arise that may warrant early attention from the Court;
6. What the deadline should be for filing summary judgment or other pretrial motions, if any;

7. What the deadline should be for the parties to submit a joint pretrial order (in accordance with the procedures of the judge before whom the trial will be conducted);
8. Whether and when the case should be (a) referred to mediation or (b) scheduled for a settlement conference with the Court; and
9. The anticipated length of trial.

Plaintiff is advised that, until further notice, *pro se* parties may file pleadings, letters, and other documents with the Court by using any of the following methods:

- (a) **Drop off** the document in the drop box located in the lobby of the U.S. Courthouse at 500 Pearl Street, New York, NY 10007.
- (b) **Mail the documents** to the Pro Se Intake Unit in Room 105 in the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007.
- (c) **Email** the documents to Temporary_Pro_Se_Filing@nysd.uscourts.gov. Instructions for filing **documents** by email may be found on the Court's website at nysd.uscourts.gov/forms/instructions-filing-documents-email.

The staff of the Intake Unit may be of assistance to *pro se* litigants in connection with court procedures, but cannot provide legal advice.

Plaintiff is further advised that he may choose to receive documents filed in this case by e-mail instead of by regular mail. If plaintiff wishes to receive case information by e-mail, he must follow the instructions in the Consent and Registration Form, which is available on the website of the United States District Court for the Southern District of New York: <https://nysd.uscourts.gov/prose>.

The Court also notes that there is a legal clinic in this District to assist people who are parties in civil cases and do not have lawyers. The Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and therefore cannot accept filings on behalf of the Court). The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, NY, 10007, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. Appointments may be made by telephone at (212) 659-6190.

The Clerk of the Court is respectfully directed to mail a copy of this order to *pro se* plaintiff Frederick D. Piña.

Dated: New York, New York
December 1, 2021

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge